IN THE DISTRICT COURT OF THE UNITED STATES FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

DESEONTEZ SHARKEY, #294340,)	
71.1.100)	
Plaintiff,)	
v.)	CIVIL ACTION NO 2.10 CV 1000 WILA
)	CIVIL ACTION NO. 2:18-CV-1009-WHA
CAPTAIN SMITH, et al.,)	
)	
Defendants)	
Defendants.)	

ORDER

On January 22, 2019, the Magistrate Judge entered a Recommendation (Doc. #4) to which no timely objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is ORDERED that:

- 1. The Recommendation of the Magistrate Judge is ADOPTED;
- 2. This case is DISMISSED without prejudice for Plaintiff's failure to pay the initial partial filing fee in accordance with the provisions of 28 U.S.C. § 1915(b)(1)(A) as ordered by this court.
 - 3. No costs are taxed.

A separate Final Judgment will be entered.

DONE this 11th day of February, 2019.

/s/ W. Harold Abritton

SENIOR UNITED STATES DISTRICT JUDGE